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Attorneys for Thomas E. Perez, Secretary,
United States Department of Labor

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA

THOMAS E. PEREZ, Secretary of Labor,
UNITED STATES DEPARTMENT OF
LABOR,

Plaintiff,

v.

i2A TECHNOLOGIES, INC., a California
corporation; VICTOR BATINOVICH, an
individual,

Defendants.

Case No.: 3:15-cv-4963-WHA

DECLARATION OF TARA STEARNS
IN SUPPORT OF REQUEST FOR
ENTRY OF DEFAULT

I, TARA STEARNS, declare as follows:

1. I submit this declaration in support of the Plaintiff's Request for Entry of Default.

I make this declaration freely and if called as a witness would testify about the facts below.

2. I am an attorney in the U.S. Department of Labor, Office of the Solicitor. I represent Plaintiff Thomas E. Perez, Secretary, U.S. Department of Labor in this action.

DECLARATION OF TARA STEARNS IN SUPPORT OF ENTRY OF DEFAULT
Secretary of Labor v. i2A Technologies, Inc. et al. (Case No. 3:15-cv-4963-WHA)

1 3. On October 28, 2015, the Secretary filed the Complaint in this action against
2 Defendants i2a Technologies, Inc. and Victor Batinovich. (Dkt. 1).

3 4. On November 16, 2015, the Summons and Complaint were personally served on
4 Defendants in San Martin, CA. Proofs of service were filed on November 24, 2015. (Dkt. 24).

5 5. The deadline to answer was December 7, 2015, twenty-one days after service.

6 6. To date, Defendants have not answered or filed any pre-answer motions, and the
7 Court has not granted any extensions of the time to respond.

8 7. Batinovich is not an infant or incompetent person.

9 8. Based on information publicly available from the U.S. Department of Defense
10 (https://www.dmdc.osd.mil/appj/scra/single_record.xhtml), Batinovich is not in military service
11 and the Service Members Civil Relief Act, 50 U.S.C. App. § 521, does not apply.
12

13 I declare under penalty of perjury that the above is true and correct to the best of my
14 knowledge.

15 Respectfully Submitted,

16 Dated: April 21, 2016

M. PATRICIA SMITH
Solicitor of Labor

JANET M. HEROLD
Regional Solicitor

SUSAN SELETSKY
Counsel for FLSA

ROSE DARLING
Senior Trial Attorney

By: /s/ Tara Stearns
TARA STEARNS (Cal. Bar # 291130)
Trial Attorney

Attorneys for the Secretary
United States Department of Labor

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